

APPEAL NO. 022042
FILED SEPTEMBER 23, 2002

This appeal arises pursuant to the Texas Workers' Compensation Act, TEX. LAB. CODE ANN. § 401.001 *et seq.* (1989 Act). The appellant (attorney) who represented respondent 1 (carrier) filed an application for his attorney fees with the Texas Workers' Compensation Commission (Commission) pursuant to Section 408.222 for representing a client under the 1989 Act. The fee application received by the Commission was for work from August 6, 2001, through January 15, 2002. On July 19, 2002, a "COMMISSION ORDER FOR ATTORNEY'S FEES," (Order) issued by the hearing officer, William M. Routon II, awarded \$2,393.24 of the \$3,567.74 requested by the appellant. The attorney argues on appeal that his fees should not have been reduced because the matter was complex and his fees were reasonable and necessary. The file does not contain responses from the carrier or respondent 2 (claimant).

DECISION

Affirmed.

We review attorney fee cases under an abuse of discretion standard. Texas Workers' Compensation Commission Appeal No. 951196, decided August 28, 1995. In this case, the attorney argues that his fees should not have been reduced due to the complexity of the matter involved. We note that the same hearing officer who heard the case issued the Order for attorney's fees. It was within the discretion of the hearing officer to determine the complexity of the matter involved and what fees were reasonable and necessary. Under the circumstances of this case, we cannot say that the hearing officer abused his discretion in reducing the requested fees.

Accordingly, we affirm the Order of the hearing officer.

The true corporate name of the insurance carrier is **CAPITAL CITY INSURANCE COMPANY** and the name and address of its registered agent for service of process is

**BARBARA DAVENPORT
JACKSON WALKER, L. L. P.
100 CONGRESS AVENUE, SUITE 1100
AUSTIN, TEXAS 78701.**

Michael B. McShane
Appeals Judge

CONCUR:

Thomas A. Knapp
Appeals Judge

Veronica Lopez
Appeals Judge